

Customer No. 27061

Patent  
Attorney Docket No. GEMS8081.110

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Toth et al.  
Serial No. : 09/683,128  
Filed : November 21, 2001  
For: : System and Method of Medical Imaging Having  
Default Noise Index Override Capability  
Group Art No. : 2882  
Examiner : Ho, A.

## CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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Date: 2-23-05  
Signature

Commissioner For Patents  
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**COMMENTS ON STATEMENT  
OF REASONS FOR ALLOWANCE**

Dear Sir:

Responsive to the Notice of Allowability mailed February 10, 2005, Applicant submits the following remarks responsive to the Examiner's Statement of Reasons for Allowance.

Toth et al.

U.S. Serial No. 09,683,128

**REMARKS**

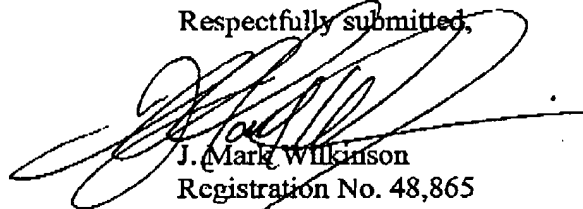
In response to the Examiner's Reasons for Allowance, Applicant believes that a separate Statement of Reasons for Allowance is unnecessary in the present case as the file history sufficiently sets forth the patentable distinctions of claims 1-37.

The patentability of claims 1-37 lies in each claim as a whole. That is, a single particular element or feature of a claim does not define the claim's patentability, but rather, it is each of the elements and the interconnection therebetween that define that which is claimed. The claims cannot be considered to be limited in scope based on this brief statement by the Examiner. Further, the claims are not limited only to a particular figure set forth in the specification and must be read to cover embodiments of the invention not specifically described in the specification or shown in the figures.

Applicant does not acquiesce to the accuracy of the Examiner's statements in the Reasons for Allowance nor the Examiner's partial and incomplete paraphrasing of the claim elements.

Entry of these remarks is appreciated and Applicant cordially invites the Examiner to respond, should the Examiner disagree.

Respectfully submitted,



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Dated: February 23, 2005  
Attorney Docket No.: GEMS8081.110

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